



LAW OFFICES  
LIMITED LIABILITY PARTNERSHIP  
NEW YORK, NY  
LOS ANGELES, CA  
SAN FRANCISCO, CA  
WILMINGTON, DE

750 THIRD AVENUE  
36th FLOOR  
NEW YORK  
NEW YORK 10017-2024  
TELEPHONE 212/561 7700  
FACSIMILE 212/561 7777

LOS ANGELES  
10100 SANTA MONICA BLVD.  
11th FLOOR  
LOS ANGELES  
CALIFORNIA 90067-4100  
TELEPHONE 310/277 6910  
FACSIMILE 310/201 0560

SAN FRANCISCO  
150 CALIFORNIA STREET  
15th FLOOR  
SAN FRANCISCO  
CALIFORNIA 94111-4500  
TELEPHONE 415/263 7800  
FACSIMILE 415/263 7010

DELAWARE  
919 NORTH MARKET STREET  
17th FLOOR  
PO BOX 8705  
WILMINGTON  
DELAWARE 19899-8705  
(Center Zip Code 19801)  
TELEPHONE 302/652 4100  
FACSIMILE 302/652 4100

WEB www.pszylaw.com

Robert J. Feinstein

October 30, 2007

rfeinstein@pszylaw.com  
(212) 561-7710

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: OCT 31 2007

**VIA TELECOPIER**

The Honorable Paul A. Crotty,  
United States District Judge  
Southern District of New York  
500 Pearl Street  
Room 735  
New York, New York 10007

Re: Toyota Tsusho American, Inc. v. Dana  
Corporation, Case No. 07 Civ. 4837 (PAC); Hydro  
Aluminum Tubing North America, LLC v. Dana  
Corporation, Case No. 07 Civ. 5460 (PAC);  
Emhart Technologies, Inc. v. Dana Corporation,  
Case No. 07 Civ. 5461 (PAC); The Timken  
Corporation, Toyotetsu America, Inc. and  
Toyotetsu Mid America LLC v. Dana  
Corporation, Case No. 07 Civ. 5659 (PAC); and  
Berlin Metals LLC v. Dana Corporation,  
Case No. 07 Civ. 5995 (PAC)

Dear Judge Crotty:

This firm is counsel to Dana Corporation ("Dana"), the  
appellee in each of the above-captioned appeals currently pending  
before Your Honor of an Order of the Honorable Burton R. Lifland,  
United States Bankruptcy Judge, Valuing Reclamation Claims Filed  
In the Debtors' Chapter 11 Cases at Zero. Yesterday, Dana filed the  
identical Appellee's Brief (the "Appellee Brief") in each of the  
above-referenced actions. That single brief responded to the five  
appeal briefs filed by appellants.

On August 30, 2007, by endorsed letter, Your Honor granted  
applications by counsel for Dana and by counsel for The Timken  
Company, Timken U.S. Corp., Toyotetsu America, Inc., and  
Toyotetsu Mid America LLC to extend the page limit for

*D-31-07*  
*Dana may file a 33 page brief.*  
*There will be no modification for*  
*the reply briefs, notwithstanding*  
*Dana's lack of objection to their*  
*supplements. Its request for*  
*further supplementation, amplified*  
*in its motion will be*  
*granted*  
*So ordered*  
*Paul M. Kelly*  
*2/5/08*

MEMO ENDORSED

DOCS\_NY 13803.1



The Honorable Paul A Crotty,  
October 30, 2007  
Page 2

memorandum of law set out in Your Honor's Individual Practices  
and set a limit of thirty pages for the parties' opening briefs.

Because of an inadvertent internal miscommunication at our office, the Appellee Brief is thirty-three pages rather than thirty. In light of the fact that Dana submitted one appellee brief, rather than five in response to the five appeal briefs filed by appellants, and in light of the fact that Rule 8010(d) of the Federal Rules of Bankruptcy Procedure contemplates that principal briefs "shall not exceed 50 pages," we respectfully request that you authorize Dana to file a thirty-three page Appellee Brief nunc pro tunc. Dana will, of course, have no objection to any requests by appellants to exceed the page limit for their reply briefs. We apologize for the Court for the misunderstanding and for any inconvenience.

Thank you for your consideration of this matter.

Respectfully submitted,

  
Robert J. Feinstein

RJF/kgb

cc: James M. Sullivan, Esq. (by telecopier)  
Stuart A. Krausc, Esq. (by telecopier)  
Mark T. Power, Esq. (by telecopier)  
Robert Beau Leonard, Esq. (by telecopier)